

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA, Case No. 15CR38

Plaintiff,

vs.

December 3, 2015
11:40 a.m.

DAVID W. VICKERS,

Volume 4

Defendant.

TRANSCRIPT OF TRIAL VERDICT
BEFORE THE HONORABLE CHRISTOPHER A. BOYKO
UNITED STATES DISTRICT JUDGE
AND A JURY

APPEARANCES:

For the Government:

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Kevin Filiatraut, AUSA
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Cleveland, Ohio 44113
(216) 622-3600

For the Defendant:

Greg McCormack, Esq.
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Court Reporter:

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801 West Superior Avenue
Cleveland, Ohio 44113
(216) 357-7087

Proceedings recorded by mechanical stenography.
Transcript produced by computer-aided transcription.

1 THE COURT: Please be seated, ladies and
2 gentlemen.

3 Good morning, everyone.

4 THE JURORS: Good morning.

11:42:02 5 THE COURT: [REDACTED], you are the
6 foreperson?

7 A JUROR: Yes, sir.

8 THE COURT: Has the jury reached a verdict
9 in this case?

11:42:08 10 A JUROR: We have, Your Honor.

11 THE COURT: Please hand it to Ms. Huth.

12 A JUROR: (Handing).

13 THE COURT: Okay. Mr. Vickers, would you
14 please stand and face the jury?

11:42:56 15 The verdict form, Count 1. "We, the jury,
16 in this case having been duly impaneled and sworn, find
17 the defendant David W. Vickers guilty of distributing a
18 visual depiction, material involving the sexual
19 exploitation of minors, in violation of Title 18, United
11:43:18 20 States Code, Section 2252(a)(2) as charged in Count 1 of
21 the indictment."

22 It's dated December 3rd, 2015, and I have
23 all twelve signatures.

24 Verdict form, Count 2. "We, the jury, in
11:43:35 25 this case having been duly impaneled and sworn, find the

1 defendant David W. Vickers guilty of coercion and
2 enticement, in violation of Title 18, United States Code,
3 Section 2422(b), as charged in Count 2 of the
4 indictment." Dated December 3rd, 2015. I have all
5 twelve signatures.

6 Verdict form, Count 3. "We, the jury, in
7 this case having been duly impaneled and sworn, find the
8 defendant David W. Vickers guilty of traveling with
9 intent to engage in illicit sexual conduct, in violation
10 of Title 18, United States Code, Section 2423(b), as
11 charged in Count 3 of the indictment." Dated
12 December 3rd, 2015. I have all twelve signatures.

13 And I always poll the jury.

14 [REDACTED], are those your verdicts, sir?

15 A JUROR: Yes.

16 THE COURT: [REDACTED], are those your
17 verdicts, sir?

18 A JUROR: Yes.

19 THE COURT: [REDACTED] --

20 A JUROR: Yes.

21 THE COURT: -- are those your verdicts,
22 ma'am?

23 A JUROR: Yes.

24 THE COURT: Okay. [REDACTED], are those your
25 verdicts, ma'am?

1 A JUROR: Yes.

2 THE COURT: [REDACTED], are those your
3 verdicts, sir?

4 A JUROR: Yes.

11:44:53 5 THE COURT: Okay. [REDACTED], are
6 those your verdicts, ma'am?

7 A JUROR: Yes.

8 THE COURT: [REDACTED], are those your
9 verdicts, sir?

11:45:00 10 A JUROR: Yes.

11 THE COURT: [REDACTED], are those your
12 verdicts, sir?

13 A JUROR: Yes.

14 THE COURT: [REDACTED], are those your
11:45:05 15 verdicts, sir?

16 A JUROR: Yes.

17 THE COURT: [REDACTED], are those your
18 verdicts, ma'am?

19 A JUROR: Yes.

11:45:11 20 THE COURT: [REDACTED], are those your
21 verdicts, sir?

22 A JUROR: Yes.

23 THE COURT: And, [REDACTED], are those your
24 verdicts, sir?

11:45:17 25 A JUROR: Yes, sir.

1 THE COURT: I'm satisfied that, after
2 polling the jury, the verdicts are in order.

3 Ladies and gentlemen, again thank you very
4 much for your service. I'll dismiss you now. Go back to
11:45:26 5 the jury room, this one on this floor here. I'll be back
6 to speak with you shortly.

7 All rise.

8 (Jury out).

9 THE COURT: Please be seated, ladies and
11:45:57 10 gentlemen.

11 All right. Mr. Vickers, the only thing
12 remaining is to give you a sentencing date.

13 Mr. McCormack, I have 3/8/16, March 8th,
14 2016 at 2:00 p.m.

11:46:14 15 Would that fit into your schedule?

16 MR. GREG McCORMACK: One second, Your
17 Honor, please.

18 THE COURT: March 8th, 2016, 2:00 p.m.

19 MR. GREG McCORMACK: No, sir, I'm scheduled
11:46:24 20 to be in actually Okinawa in a trial.

21 THE COURT: Okay. We'll get another
22 sentencing date.

23 Chris.

24 THE CLERK: How long will you be out of
11:46:34 25 town?

1 MR. GREG McCORMACK: That entire week,
2 ma'am.

3 THE COURT: Okay. The following week? How
4 about Tuesday, March 15th, 2:00 o'clock?

11:46:41 5 MR. GREG McCORMACK: March 15th, yes,
6 ma'am, I'm scheduled in another case, but I can rearrange
7 that.

8 THE CLERK: Okay.

9 THE COURT: Okay. March 15th.

11:46:55 10 Mr. Filiatraut, if that's okay with you.

11 MR. FILIATRAUT: Yes, Judge, thank you.

12 THE COURT: Okay. 3/15/16 at 2:00 p.m.
13 will be the sentencing date.

14 MR. GREG McCORMACK: Yes, Your Honor.

11:47:04 15 THE COURT: Okay. Mr. McCormack, anything
16 further on behalf of the defense?

17 MR. GREG McCORMACK: No, Your Honor.

18 THE COURT: Mr. Filiatraut, on behalf of
19 the government?

11:47:09 20 MR. FILIATRAUT: No, Judge. Thank you.

21 THE COURT: Thanks, everyone. We're
22 adjourned.

23 THE CLERK: All rise.

24 (Proceedings adjourned at 11:47 a.m.)

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C E R T I F I C A T E

I certify that the foregoing is a correct transcript from the record of proceedings in the above-entitled matter.

/s/Susan Trischan

/S/ Susan Trischan, Official Court Reporter
Certified Realtime Reporter

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